

RESOLUTION NO 2012-100

A RESOLUTION AUTHORIZING AND PROVIDING FOR A QUESTION TO BE SUBMITTED ON THE AUGUST 7, 2012 PRIMARY ELECTION BALLOT IN THE COUNTY OF SHERIDAN, KANSAS FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE COUNTY A QUESTION ALLOWING THE CONSTRUCTION OF A NEW SWIMMING POOL WITH APPURTENANCES AND IMPROVEMENTS; AND ENTERING INTO A LEASE-PURCHASE AGREEMENT WITH LOCAL FINANCIAL INSTITUTIONS FOR THE FUNDING OF SUCH PROJECT.

WHEREAS: K.S.A. 10-1116b (2), K.S.A. 10-1116c (pertaining to Lease-Purchase Agreements). Nothing in the provisions of K.S.A. 10-1101 et.seq., and amendments thereto, shall prohibit a municipality from entering into (2) a lease agreement, without an option to buy, or (3) a lease-purchase agreement, if any of such agreements specifically state that the municipality is obligated only to pay periodic payments or monthly installments under the agreement as may lawfully be made from (a) funds budgeted and appropriated for that purpose during such municipality's current budget year or (b) funds made available from any lawfully operated revenue producing source. For the purpose of this section, a lease-purchase agreement shall include a lease with an option to buy or an installment-purchase agreement. **AND:** Under the authority of K.S.A. 10-1116c (a) pertaining to majority vote of the governing body; (b) pertaining to the publication of a resolution and election thereof; (d) pertaining to the term of the agreement (1) The amount or capital cost required to purchase the item, (2) the annual average effective interest cost, (3) the amount included in the payments for service, maintenance, insurance and other charges exclusive of the capital or interest costs. **AND:** K.S.A. 19-101 (pertaining to General Home Rule Authority) which recognizes that each organized county shall be a body corporate and politic and be empowered to make contracts and do other acts in relation to property and concerns of the county. The project shall be known hereafter as the Hoxie City Swimming Pool Project.

WHEREAS: The Board of County Commissioners, Sheridan County, Kansas have caused the question of funding the Hoxie City Swimming Pool Project, which will be located at 1300 Sheridan Avenue, Hoxie, Kansas to be placed on the August 7, 2012 Primary Election Ballots for all qualified electors in Sheridan County, Kansas. **AND, if approved** to enter into a lease-purchase agreement with county financial institutions for an amount not to exceed \$1,800,000.00 for a term of no less than twenty (20) years at a rate based upon current US Treasury Bonds, plus 1.50% to 2.00% with an annual payment of approximately \$126,700.00.00 plus a fee charge of no more than a \$1,000.00 for lease-purchase documentation.

Shall the Following Be Adopted?

A Question to the Electors of Sheridan County, Kansas in accordance with K.S.A. 10-1116b, K.S.A. 10-1116c, (pertaining to Lease-Purchase Agreements) and K.S.A. 19-101 (pertaining to General Home Rule Authority) shall the Board of County Commissioners, Sheridan County, Kansas be authorized to: (1) Enter into a lease-purchase agreement with county financial institutions for the purpose of construction of a new swimming pool to be located at 1300 Sheridan Avenue, Hoxie, Kansas and related appurtenances and to enter into contract for a lease-purchase agreement not to exceed \$1,800,000.00 for a mandatory period of twenty (20) years. If approved the interest rate shall be based upon current US Treasury Bonds, plus 1.50% to 2.00% with an annual payment of the loan to be approximately \$126,700.00. If approved an

annual levy based upon current year valuation will be levied against all taxable, tangible property located in Sheridan County, Kansas until maturity. The collection of the ad valorem property tax shall begin with the 2013 tax year and will terminate after the twenty (20) year term in 2033.

Yes

No

During the life of the lease-purchase agreement, the County of Sheridan, Kansas will not be responsible for any maintenance, upkeep or improvements to the Hoxie Swimming Pool and upon maturity of the above mentioned lease-purchase agreement the County of Sheridan, Kansas shall be removed from further obligation to the Hoxie Swimming Pool Project.

This resolution shall be effective upon approval of the Board of County Commissioner, Sheridan County, Kansas.

ADOPTED this 18th day of June 2012.

Board of County Commissioners
Sheridan County, Kansas

Vic Bielser, Chairman

Troy Dewey Commissioner

Doyle Kauk, Commissioner

Attest: _____
Paula Bielser
Sheridan County Clerk